

1
2
3
4
5
6
7
8
9
10
11

**THE HONORABLE BRIAN D. LYNCH
CHAPTER 13**

HEARING DATE: September 25, 2019

HEARING TIME: 1:30 P.M.

LOCATION: Tacoma, Washington

RESPONSE DATE: September 18, 2019

12
13
14
15
16
17
18
19
20
21
22
23
24
25

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE
WESTERN DISTRICT OF WASHINGTON AT TACOMA**

In re:

TIMOTHY WALLACE LONG,

Debtor.

Case No.: 17-42550-BDL

NOTICE OF AND MOTION FOR DISMISSAL
PURSUANT TO 11 U.S.C. § 1307(c)

NOTICE

YOU ARE HEREBY NOTIFIED that a hearing on Trustee's Motion to Dismiss will be heard before the Honorable Brian D. Lynch at **1:30 P.M. on September 25, 2019**, at the U.S. Bankruptcy Courthouse, 1717 Pacific Avenue, Courtroom I, Tacoma, WA 98402.

IF YOU OPPOSE this motion, you must file your written response with the Court Clerk and deliver copies on the undersigned and all interested parties, **NOT LATER THAN THE RESPONSE DATE**, which is **September 18, 2019**. You should also appear at the time of hearing. If you fail to do so, the Court may enter an order granting the motion without any hearing and without further notice.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MOTION

COMES NOW, Michael G. Malaier, the Chapter 13 Trustee and alleges as follows:

1. Debtor filed this case on **June 30, 2017**. The case was confirmed by order of the Court on **November 17, 2017**.
2. Pursuant to the confirmed plan, Debtor is required to make plan payments of **\$3,500.00** per month. Debtor is presently delinquent in plan payments in the amount of **\$14,000.00**, supported by the Declaration filed herewith.
3. In addition, Debtor has failed to provide copies of his 2017 and 2018 tax returns to the Trustee.
4. Debtor has defaulted under the terms of the Plan as follows: § 1307(c)(1) unreasonable delay by the debtor that is prejudicial to the creditors, § 1307(c)(6) failure to remit plan payments.

WHEREFORE the Trustee prays that this case be dismissed and closed.

DATED this 8th day of August, 2019 at Tacoma, Washington.

/s/ Matthew J.P. Johnson
Matthew J.P. Johnson, WSBA# 40476 for
Michael G. Malaier, Chapter 13 Trustee